

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 4:19-cv-10520-TSH

CHARU DESAI,
Plaintiff,

v.

UMASS MEMORIAL MEDICAL CENTER,
INC., et al.,
Defendants.

**ASSENTED-TO MOTION FOR
LEAVE TO EXCEED PAGE LIMIT
FOR REPLY BY DEFENDANTS**

Defendants, UMass Memorial Medical Center, Inc., UMass Memorial Medical Group, Inc., Max Rosen, M.D., and Stephen Tosi, M.D., with the assent of all parties, move for leave to exceed the page limit set forth in Local Rule 7.1 for their forthcoming reply memorandum of law in support of their motion for summary judgment, and in support thereof, state as follows:

1. Defendants have moved for summary judgment on all counts of Plaintiff's Amended Complaint. Plaintiff's claims in this action include eight counts brought against several Defendants, which are diverse in subject matter and scope. Many of Plaintiff's claims are complex and include multiple theories of recovery.

2. In opposition to Defendants' Motion, Plaintiff filed a memorandum of law of 30 pages (as assented to by Defendants), as well as extensive supporting documents, including a 78-page, 344-paragraph Statement of Additional Material Facts in Dispute, and 130 exhibits. In her opposition papers, Plaintiff sets forth many claims and additional facts which Defendants have not had an opportunity to fully address in their Motion.

3. Pursuant to Local Rule 7.1(b)(4) of the Local Rules for the District Court for the District of Massachusetts, a memorandum supporting a motion “shall not, without leave of court, exceed 20 pages, double-spaced.”

4. In preparing their Reply Memorandum, Defendants have determined that despite their best efforts to be as concise as possible, additional pages are necessary to be able to adequately respond and fully brief the Court on the wide range of claims and extensive record.

5. Defendants have conducted a good faith evaluation and have determined that 24 pages would be reasonable and sufficient for their reply memorandum of law in support of their Motion.

6. Counsel for Defendants has conferred with counsel for Plaintiff and Defendant, University of Massachusetts Chan Medical School, and they have assented to the relief requested in this Motion.

WHEREFORE, Defendants, UMass Memorial Medical Center, Inc., UMass Memorial Medical Group, Inc., Max Rosen, M.D., and Stephen Tosi, M.D., respectfully request leave of court to exceed the page limit and to file a reply memorandum of law in support of their motion for summary judgment of up to twenty-four (24) pages.

Respectfully submitted,

**UMASS MEMORIAL MEDICAL
CENTER, INC.; UMASS MEMORIAL
MEDICAL GROUP; MAX ROSEN, MD;
and STEPHEN TOSI, MD;**

By their attorneys,

/s/Reid M. Wakefield

Robert L. Kilroy, Esq., BBO # 636853
Reid M. Wakefield, Esq., BBO # 569026
Mirick, O'Connell, DeMallie & Lougee, LLP
1800 West Park Drive, Suite 400
Westborough, MA 01581
Phone 508.860.1474
Fax 508.983.6261
rkilroy@mirickoconnell.com
rwakefield@mirickoconnell.com

Dated: March 3, 2022

CERTIFICATE OF SERVICE

I, Reid M. Wakefield, hereby certify that this document, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this day.

/s/Reid M. Wakefield

Reid M. Wakefield, Esq.

Dated: March 3, 2022